

Introduced by Senator Alquist

February 27, 2009

An act to add Section 1418.65 to the Health and Safety Code, relating to long-term health care facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 687, as introduced, Alquist. Long-term care facilities: healthcare associated infection.

Existing law provides for the licensure and regulation by the State Department of Public Health of health care facilities, including long-term health care facilities. Existing law, the Long-Term Care, Health Safety, and Security Act of 1973, imposes various requirements on long-term health care facilities. Violation of these provisions is a crime.

This bill would prohibit a long-term health care facility from refusing to readmit a patient who was transferred from that facility to a general acute care hospital and who tested positive, upon admission to the health facility, for a healthcare associated infection. By creating a new crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1418.65 is added to the Health and Safety
2 Code, to read:
3 1418.65. A long-term health care facility shall not refuse to
4 readmit a patient who was transferred from that facility to a general
5 acute care hospital, as defined in subdivision (a) of Section 1250
6 and who tested positive, upon admission to the health facility, for
7 a healthcare associated infection.
8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the penalty
13 for a crime or infraction, within the meaning of Section 17556 of
14 the Government Code, or changes the definition of a crime within
15 the meaning of Section 6 of Article XIII B of the California
16 Constitution.